

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

ROSS WAYNE WHITEHEAD, )  
                                )  
Plaintiff,                 )  
                                )  
v.                             ) Case No. CIV-21-00273-JD  
                                )  
STEPHENS COUNTY, *et al.*, )  
                                )  
Defendants.                 )

**ORDER ADOPTING REPORT AND RECOMMENDATION**

On April 7, 2021, United States Magistrate Judge Amanda Maxfield Green granted Plaintiff's Motion to Proceed *in Forma Pauperis* [Doc. No. 2], but ordered Plaintiff to pay an initial partial filing fee of \$18.01 by April 28, 2021, followed by monthly payments thereafter until the total filing fee was paid. [Doc. No. 5]. Plaintiff was cautioned that failure to pay the initial partial filing fee by April 28, 2021 would result in dismissal of this matter. Plaintiff did not timely pay the initial partial filing fee, and on May 27, 2021, Judge Green issued a Report and Recommendation [Doc. No. 7] recommending that this action be dismissed without prejudice for Plaintiff's failure to pay the initial partial filing fee.

Judge Green advised Plaintiff of his right to object to the Report and Recommendation by June 17, 2021, and that Plaintiff's failure to make a timely objection waives the right to appellate review of the factual findings and legal issues in the Report and Recommendation. Plaintiff has not filed any objection, nor has he paid the required initial partial filing fee.

The Court therefore **ADOPTS** the Report and Recommendation [Doc. No. 7] in its entirety for the reasons stated therein. Plaintiff's Complaint [Doc. No. 1] is hereby **DISMISSED** without prejudice.

IT IS SO ORDERED this 28th day of June 2021.



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JODI W. DISHMAN  
UNITED STATES DISTRICT JUDGE